

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

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|-----------------------|---|-----------|
| THEODORE J. WILLIAMS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 1:04CV342 |
| |) | |
| JAMIE POPE, |) | |
| |) | |
| Defendant. |) | |

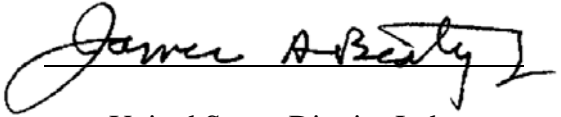
ORDER

This matter is before the Court on a Motion for Summary Judgment [Document #52] by Defendant Jamie Pope. On February 15, 2006, the United States Magistrate Judge's Order and Recommendation [Document #65] was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). Shortly thereafter, Plaintiff filed a Change of Address Notice with the Clerk's Office [Document #67]. A second notice and copy of the Recommendation were served on Plaintiff at his new address [Document #68]. Plaintiff filed timely Objections. The Court has now reviewed the Objections and the portions of the Magistrate Judge's report to which objection was made, and the Court has made a de novo determination which is in accord with the Magistrate Judge's report. The Magistrate Judge's Recommendation [Document #65] is therefore affirmed and adopted.

IT IS THEREFORE ORDERED that Defendant Jamie Pope's Motion for Summary Judgment [Document #52] is GRANTED, and Plaintiff's claims related to his arrest on

November 17, 2003 are DISMISSED WITH PREJUDICE.¹

This, the 28th day of September, 2006.


United States District Judge

¹ The Court notes that this ruling is made with respect only to the claims presented by Plaintiff in his Complaint related to his arrest on November 17, 2003. In his briefs and affidavits (see, e.g., Document #58), Plaintiff makes additional allegations regarding subsequent conduct by Defendant and other local officials. However, those allegations were not included as part of Plaintiff's Complaint and are not part of the Court's ruling in the present case.